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a group of the best lawyers of the succeeding generation to join him as specialists in advocacy.

It must be remembered, however, that the last word on Choate has not yet been said. A fuller account of his public services may show that the impression left by Mr. Strong's book is incorrect. Indeed, the non-legal portions of the book are very unsatisfactory. They are little more than a string of long extracts from after-dinner speeches, which do not bear warming over much better than the dinners. A few after-dinner speeches leave any one ready for sleep. It is unfortunate that so much is made by Mr. Strong of Choate's victorious cases, and so little of his constructive charitable work, or of his achievements as chairman of the American Delegates to the Second Hague Conference. Mr. Strong reduces this event, perhaps the greatest in Choate's life, to a paragraph of newspaper gossip.<sup>13</sup> The creation of the International Court of Prize Appeals and the Court of Arbitral Justice is not even mentioned, nor the manner in which Choate "was able to adjust apparently irreconcilable difficulties" between England and Germany.<sup>14</sup> Choate's achievements at the Hague have been hidden but not obliterated by the conflict which he lived long enough to take part in as vigorously as he was able, and his plans for international courts may one day become a living reality.

Z. C., JR.

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GUIDE TO THE LAW AND LITERATURE OF ARGENTINA, BRAZIL, AND CHILE.

By Edwin M. Borchard. Washington Government Printing Office. 1917. pp. 523.

Increased commercial intercourse with South America has caused us in recent years to modify our traditional picture of South American countries as places where revolutions and adventurous dictators leave little room for legal order or other characteristics of civilized life. But even those who have kept more or less in touch with the civilization of South America will be surprised by the astonishing wealth of legal literature described in this volume. Professor Borchard has gone at his task with admirable thoroughness, and has produced a most convenient guide book for those who wish to avail themselves of the legal thought and experience of our southern neighbors.

The arrangement of the information for each of the three countries treated in this volume follows the model set in Professor Borchard's "Guide to the Law and Legal Literature of Germany." After a general historical and bibliographic introduction, information is given as to legislative and judicial reports, general works in law and legal history, the civil codes, commercial law, judicial organization and civil procedure, criminal law and procedure, constitutional, administrative, military, ecclesiastical, and public and private international law. Each of these heads contains numerous special topics, but under the heading of administrative law we have an unusual wealth of material bearing on matters of public law, such as immigration, public lands, mining, railroads, shipping, labor, public hygiene, education, taxation, etc. The description of the various codes, gives us in each case an admirable conspectus of the history, contents, and the various expositions, commentaries, and monographs on special topics. Glossaries of Spanish and Portuguese terms increase the availability of this vast amount of bibliographic information.

The author states that the threefold aim of this guide has been: "first, to furnish the lawyer and the student of comparative law with information as to the institutions and literature of the public and private law of the countries

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<sup>13</sup> Strong, *op. cit.*, 98-99.

<sup>14</sup> J. B. Scott, Introduction to CHOATE'S THE TWO HAGUE CONFERENCES. See also J. B. SCOTT, AMERICAN ADDRESSES AT THE SECOND HAGUE CONFERENCE, for Choate's arguments in favor of international courts and arbitration.

under discussion; secondly, to acquaint the legislator and the man of affairs with the recent development of legislation, particularly that designed to meet the social and economic problems of the day; and, thirdly, to give the jurist and the historian some guidance to the contributions made in these countries to the history, the theory, and the philosophy of law." These three aims, however, are not equally well met. Any one who wants to find the law of Argentina, Brazil, or Chile, on any given topic, will find ready references here. But despite the vast amount of historic social and political information which Professor Borchard has put into this volume, this guide cannot, in the nature of the case, give us adequate references to the historic, social, political, and economic literature which will enable us to understand the genesis and actual workings of these laws. In South America, as elsewhere, we must distinguish between the law in law books and the law in action. As to the third aim, it must be admitted that these countries have not as yet made any substantial original contributions to the history, theory, and philosophy of law. Narrow traditional Catholicism, as in Chile, and an equally arid Positivism as in Brazil and Argentina, have not proved favorable for fruitful reflection.

The proof reading of the multitudinous Spanish and Portuguese terms seems to have been performed with praiseworthy care.

It is interesting to note among Brazilian authors Octavio Kelly and Sacramento Blake.

M. R. C.

THE ESSENTIALS OF AMERICAN CONSTITUTIONAL LAW. By Francis Newton Thorpe. New York: G. P. Putnam's Sons. pp. 279.

This is a small and compact volume which discusses in elementary fashion the ordinary theories of constitutional law. Its twelve chapters cover all the more important problems summarily, and with a single exception its doctrine is that of other books. The exception is a rather curious interpretation of the "Necessary and Proper Clause" which is interpreted to include all the purposes involved in adopting the Constitution as set forth in the preamble. Under this construction the doctrine of delegated powers is entirely overthrown. The text is generally interspersed with full quotations from the leading cases to serve as an informal introduction to the inductive method of legal inquiry. The volume contains a copy of the Constitution and table of cases and an index. It is difficult to see exactly what purpose it is intended to serve not already supplied by a hundred existing books of the kind.

H. M., Jr.

INCOME TAX LAW. By G. N. Nelson. New York: Macmillan.

AMERICAN MUNICIPAL PROGRESS AND THE LAW. By H. L. McBain. N. T. Columbia University Press. [To be reviewed.]

NORMAN INSTITUTIONS. By C. H. Haskins. Cambridge: Harvard University Press. [To be reviewed.]

HUBERICH ON TRADING WITH THE ENEMY. New York: Baker, Voorhis Co. [To be reviewed.]

GERMAN LEGISLATION FOR BELGIUM. By Huberich and Speyer. 12th Series. Nijhoff. The Hague.

ATLANTIC PORT DIFFERENTIALS. By J. B. Daish. Washington: W. H. Lowdermilk.

CLARK'S CRIMINAL PROCEDURE. By Mikell. St. Paul: West Publishing Co. [To be reviewed.]